



The Tennessee Open Meetings Act passed by the General Assembly in 1974 requires that meetings of state, city and county government bodies be open to the public and that any such governmental body give adequate public notice of such meeting.

**TENNESSEE DEPARTMENT OF HEALTH
MEMORANDUM**

Date: August 19, 2016
To: Woody McMillin, Director of Communication and Media Relations
From: Wanda E. Hines, Board Administrator

Name of Board or Committee: Board for Licensing Health Care Facilities Board Meeting
(Call-in Number: 1-888-757-2790 passcode: 457462#)

Date of Meeting: September 7-8, 2016
Time: 9:00 a.m. CDT
Place: Iris Conference Room
665 Mainstream Drive, First Floor
Nashville, TN 37243
Major Item(s) on Agenda: See Attached Agenda

This memo shall be forwarded from individual programs to the Public Information Office on the 15th day of the preceding month. The Public Information Office will prepare the monthly list of meetings within the Department and have ready for distribution to state media by the 28th day of the preceding month.

PH-1850 (Rev. 3/79)

RDA N/A

JOHN J. DREYZEHNER, MD, MPH
COMMISSIONER

BILL HASLAM
GOVERNOR

*THE MISSION OF THE TENNESSEE DEPARTMENT OF HEALTH IS TO PROTECT, PROMOTE AND
IMPROVE THE HEALTH AND PROSPERITY OF PEOPLE IN TENNESSEE*

TENTATIVE AGENDA

BOARD FOR LICENSING HEALTH CARE FACILITIES

SEPTEMBER 7-8, 2016

IRIS CONFERENCE ROOM, FIRST FLOOR

**PLEASE REMEMBER TO SILENCE YOUR ELECTRONIC DEVICES WHEN
THE BOARD IS IN SESSION**

- 1. WELCOME NEW BOARD MEMBERS:** Reappointment of Mr. Bobby Wood, Consumer Representative and Ms. Carissa Lynch, Doctor of Pharmacy Representative.
- 2. CALL THE MEETING TO ORDER AND ESTABLISH A QUORUM.**
- 3. CONTESTED CASE HEARING(S).**
- 4. LICENSE STATUS REQUESTS.**

GOLDEN YEARS, CORDOVA

This Residential Home for the Aged facility is seeking to place their license on inactive status. This facility is currently on probation. The administrator is healing from eye surgery and will be seeking to re-staff and acquire new residents to reopen Golden Years RHA.

Representative(s): Brenda Tucker

PIONEER COMMUNITY HOSPITAL OF SCOTT COUNTY, ONEIDA

This one hundred and one (101) bed facility is seeking to place their license on inactive status. Pioneer Community Hospital of Scott County can no longer financially sustain operations and is seeking to extend the closure date to finalize negotiations of a possible sale agreement. If the sale process is successful, a change of ownership application will be submitted. The Emergency Department will remain on diversion.

Representative(s): Scott K. Phillips, Chief Restructuring Officer, Healthcare Management Partners, LLC and Tony Taylor, Administrator

SENIOR SAINTS HOME, CHATTANOOGA

This Residential Home for the Aged facility is seeking to place their license on inactive status. On May 12, 2016, this RHA caught on fire due to lightening during a severe storm and all eight (8) residents managed to evacuate the burning building safely. It will take Senior Saints Home approximately eight (8) or so months to rebuild or remodel this fire impacted structure.

Representative(s): Kennedy N. Omanwa, Administrator

WAYNE CARE NURSING HOME, WAYNESBORO

This forty-six (46) bed nursing home is requesting an extension waiver for their license to remain on inactive status pending CON project status. This facility had transferred their residents to Waynesboro Health & Rehabilitation Center, Waynesboro, a one hundred nine (109) bed facility, which is 1.6 miles away. The Project, Waynesboro Health and Rehabilitation Center, is moving forward and their anticipated date of project completion is March 2017. This facility's license was placed on inactive status on September 10, 2014 which expired on May 10, 2015. Due to receiving a CON the facility did not request an extension waiver.

Representative(s): Thomas D. Johnson, Chief Manager, Waynesboro Healthcare, LLC

5. WAIVER REQUESTS.

A. THE FOLLOWING NURSING HOMES ARE REQUESTING TO WAIVE NURSING HOME REGULATIONS 1200-08-06-.04(1) FOR A TENNESSEE LICENSED NURSING HOME ADMINISTRATOR UNTIL A PERMANENT REPLACEMENT IS HIRED OR RECEIVES HIS/HER LICENSE IN TENNESSEE.

- (1) Pigeon Forge Care and Rehabilitation Center, Pigeon Forge
- Scott Goins, Regional VP, Signature HealthCare, LLC
- (2) Signature Healthcare at Saint Francis, Memphis
- Jill Bosa, Chief Operations Officer, Post Acute

B. OTHER WAIVER REQUEST(S)

ROANE MEDICAL CENTER, HARRIMAN

This fifty-four (54) bed hospital is seeking to waive Hospital Regulations 1200-08-01-.05(1) & (5) hospital admission and treatment shall be under supervision of a physician and concerning treatment shall be given or administered to a patient of a hospital except on order of a physician. Roane Medical Center provides therapy services at the Patricia Neal Outpatient Center which is located in the hospital's main facility.

Representative(s): Gaye Jolly, President and Chief Administrative Officer

FORT LOUDOUN MEDICAL CENTER, HARRIMAN

This fifty (50) bed hospital is requesting to waive Hospital regulations 1200-08-01-.05(1) & (5) hospital admission and treatment shall be under supervision of a physician and concerning treatment shall be given or administered to a patient of a hospital except on order of a physician. Fort Loudoun Medical Center, therapy services are delivered in two (2) hospital facilities located at 423 Medical Park Drive, Suite 2; Lenoir City, TN 37772 (**pending**) and 1127 Grove Street, Loudon, TN 37774 which is separately located from the main facility located 550 Fort Loudoun Medical Center Drive, Lenoir City.

Representative(s): Jeffrey Feike, President and Chief Administrative Officer

METHODIST MEDICAL CENTER OF OAK RIDGE, OAK RIDGE

This three hundred and one (301) bed hospital is seeking to waive Hospital Regulations 1200-08-01-.05(1) & (5) hospital admission and treatment shall be under supervision of a physician and concerning treatment shall be given or administered to a patient of a hospital except on order of a physician. Methodist Medical Center of Oak Ridge therapy services are delivered to 991 Oak Ridge Turnpike, Oak Ridge (**pending**) which is separately located from the hospital's main facility.

Representative(s): Jeremy Biggs, FACHE, President and Chief Administrative Officer

FORT SANDERS MEDICAL CENTER, HARRIMAN

This forty-three (43) bed hospital is seeking to waive Hospital Regulations 1200-08-01-.05(1) & (5) hospital admission and treatment shall be under supervision of a physician and concerning treatment shall be given or administered to a patient of a hospital except on order of a physician. Fort Sanders Medical Center, provides therapy services at delivered in the Fort Sanders Therapy Centers in four hospital department to include 1901 Clinch Avenue; 2001 Laurel Avenue, 3517 Emory Road (**pending**); and 6679 Maynardsville Highway (**pending**) which is separately located from the hospital's main facility.

Representative(s): Keith N. Altshuler, FACHE, President and Chief Administrative Officer

CLAIBORNE MEDICAL CENTER, TAZEWell

This eighty-five (85) bed hospital is seeking to waive Hospital Regulations 1200-08-01-.05(1) & (5) hospital admission and treatment shall be under supervision of a physician and concerning treatment shall be given or administered to a patient of a hospital except on order of a physician. Claiborne Medical Center provides therapy services at delivered in the Claiborne Rehabilitation Center located at Medical Office Building 100, 1850 Old Knoxville Road, Tazewell.

Representative(s): Lucy Gregory and Dr. Mary Dillon

LECONTE MEDICAL CENTER, SEVIERVILLE

This seventy-nine (79) bed hospital is seeking to waive Hospital Regulations 1200-08-01-.05(1) & (5) hospital admission and treatment shall be under supervision of a physician and concerning treatment shall be given or administered to a patient of a hospital except on order of a physician. LeConte Medical Center provides therapy services at delivered in two (2) hospital departments in the 740 Middle Creek Road, Sevierville and 127 W. Macon Lane, Suite 2, Seymour, TN (**pending**) which is separately located from the hospital's main facility.

Representative(s): Jenny Hanson, President and Chief Administrative Officer

PARKWEST MEDICAL CENTER, KNOXVILLE

This four hundred sixty-two (462) bed hospital is seeking to waive Hospital Regulations 1200-08-01-.05(1) & (5) hospital admission and treatment shall be under supervision of a physician and concerning treatment shall be given or administered to a patient of a hospital except on order of a physician. Parkwest Therapy Center, Knoxville provides therapy services at Fort Sanders West Campus Building 1, Suite 201, Fort Sanders West Boulevard, Knoxville which is separately located from the hospital's main facility.

Representative(s): Rick Lassiter, President and Chief Administrative Officer

RIVER OAKS PLACE-LOUDON, LOUDON

This forty-nine (49) bed ACLF is requesting a waiver of the regulation to the extent necessary for the Board to determine if the facility is in compliance with the regulations. River Oaks Place-Loudon's position regarding corrected and resolved issues was originally cited during a June 17, 2015 annual survey and the department's continuing disagreement with the facility about their compliance with the following regulations: ACLF Rule 1200-08-25-.09(5) Building Standards and ACLF Rule 1200-08-25-.10(8)(a) Life Safety. The facility believes the systems that are currently installed are within the facility compliance with ACLF regulations.

Representative(s): Christopher C. Puri, Attorney

CUMBERLAND MEDICAL CENTER, CROSSVILLE

This one hundred eighty-nine bed hospital is seeking to waive Hospital Regulation 1200-08-01-.05(1) & (5) hospital admission and treatment shall be under supervision of a physician and concerning treatment shall be given or administered to a patient of a hospital except on order of a physician. Cumberland Medical Center Physical Medicine and Rehabilitation, two hospital departments located at 118 Brown Avenue, Crossville, TN 38555 (**pending**); and 130 Stonehenge Drive, Crossville, TN 38555, the locations are separately located from the hospital.

Representative(s): David Bunch, President and Chief Administrative Officer

6. DISCUSSION(S).

- A.** Tennessee Board for Licensing Health Care Facilities 2015 Performance Audit Report Updates on progress to address identified items. – Vincent Davis, Director
- B.** Approval of the Joint Annual Report on the Status of Emergency Medical Services for Children 2016.
– Rhonda Phillippi, Executive Director, TN EMS for Children
- C.** Propose Meeting Dates for Year 2017.
- D.** Summary of Assisted Care Living Facilities Standing Committee Meeting- July 12, 2016 regarding Administrators Testing and Process.
- E.** Summary of ACLF/Facilities Construction Standing Committee Meeting-July 12, 2016 regarding approval for rule language for ACLF rule 1200-08-25-.08(8) and RHA rule 1200-08-11-.05(8) regarding the thirteen (13) minutes evacuation and Interpretative Guidelines regarding Cooking Appliances – ACLF rule 1200-08-25-10(2)(i).

7. APPROVAL OF MINUTES.

- A.** January 21, 2015 – Board Meeting
- B.** September 17, 2015 – Education Standing Committee Meeting
- C.** April 29, 2016 – Assisted Care Living Facilities/Facilities Construction Standing Committee Meeting
- D.** April 29, 2016 – Facilities Construction Standing Committee Meeting
- E.** May 4-5, 2016 – Board Meeting
- F.** July 12, 2016 – Assisted Care Living Facility Standing Committee Meeting
- G.** July 12, 2016 – Assisted Care Living Facility/Facilities Construction Standing Committee Meeting
- H.** July 12, 2016 – Facilities Construction Standing Committee Meeting

8. CONSIDERATION AND RATIFICATION OF LICENSURE APPLICATIONS (CHANGE OF OWNERSHIP (CHOWS) AND INITIALS).

A. CONSIDERATION.

(INITIALS)

B. RATIFICATION.

1. QUALIFYING APPLICATIONS

(INITIALS)

(a) Nursing Homes Facility

NHC Place at The Trace, Nashville

(b) Assisted Care Living Facility

Creeside Villas 400, Murfreesboro

Culpepper Place of Bartlett, Bartlett

Dominion Senior Living of Crossville, Crossville

Hickory Hills Alzheimer's Special Care Center, Hendersonville

NHC Place at The Trace, Nashville

(c) End Stage Renal Disease Facility

Fresenius Medical Care-South Airways, Memphis

(d) Home Health Agency

Implanted Pump Management, LLC, Knoxville

(e) Home Medical Equipment Facility

Atlantic Medical, Memphis

Barker Sleep Institute, Knoxville

HCMC In Home Equipment & Supplies, Paris

Joerns, LLC, Chattanooga

Kimberly Ruth Medical Supplies & Equip, LLC, Harriman

Kinex Medical Company, LLC, Knoxville

MediTech Solutions, LLC, Nashville

(f) Professional Support Services

Skills Training and Rehabilitation Services (S.T.A.R.S.)

2. (CHOWS)

(a) Nursing Homes Facility

The Cambridge House, Bristol

(b) Assisted Care Living Facility

Wellington Manor, Newport

(c) Ambulatory Surgical Treatment Center

Southern Endoscopy Center, Nashville

(d) Home Medical Equipment Facility

Music City Medical Supply, Murfreesboro

9. LICENSE STATUS UPDATES.

NOOKIE'S LOVING CARE HOME, MEMPHIS

This Residential Home for the Aged from the May 4-5, 2016 Board meeting must provide a detailed indication of progress of compliance of order of 5/5/2016.

Representative(s): Steven Dortch, Jr., Administrator

SOUTHERN HILLS SURGERY CENTER, NASHVILLE

This ASTC facility's license is currently on their eighth extension inactive status based on the Certificate of Need (CON) that was granted to Southern Hills Surgery Center on May 27, 2015 for relocation/replacement of facility. The Certificate of Need has an expiration date of July 1, 2017. Southern Hills Surgery Center has filed an appeal with HSDA and will be heard by this agency at the October 26, 2016 meeting.

10. BOARD POLICY CONSENTS.

A. THE FOLLOWING NURSING HOMES ARE REQUESTING A WAIVER TO PROVIDE OUTPATIENT THERAPY SERVICES AS PROVIDED FOR BY BOARD POLICY #32:

NHC Place at The Trace, Nashville

B. THE FOLLOWING FACILITIES ARE REQUESTING APPROVAL TO PERMIT A NURSING HOME ADMINISTRATOR TO SERVE AS ADMINISTRATORS BOTH A NURSING HOME AND RESIDENTIAL HOMES FOR AGED AND/OR ASSISTED CARE LIVING FACILITY ACCORDANCE WITH BOARD POLICY #39:

Lakeshore Heartland – Nursing Home #56 & RHA #396

11. REGULATION(S).

A. BOARD APPROVAL FOR RULEMAKING HEARING.

- (1) Approval for Rule language for ACLF Rule 1200-08-25-.08(8) and RHA Rule 1200-08-11-.05(8) regarding the thirteen (13) minutes evacuate to be consistent for both regulations.
- (2) Approval for Rule language changes for Trauma Center Rule 1200-08-12-.03 Definitions and Rule 1200-08-12-.04 Requirements.

B. PROPOSED RULE LANGUAGE

- (1) AARP Tennessee with collaboration with the Tennessee Hospital Association (THA) has proposed Hospital rule language that outlines the legal role of a designated caregiver of a patient during and immediately following a hospital stay.

12. REPORTS

A. EMS REPORT - Robert Seesholtz

B. NURSE AIDE REPORT – Wanda King

C. OFFICE OF GENERAL COUNSEL REPORT – Kyonzte’ Hughes-Toombs

13. ORDERS.

A. Consent Orders.

B. Orders.

14. RULEMAKING HEARINGS-Notice of Rulemaking Hearings can be viewed online at http://share.tn.gov/sos/rules_filings/05-02-16.pdf.

**A. 1200-08-01 Standards for Hospitals
1200-08-01-.15 Appendix I**

1200-08-02 Standards for Prescribed Child Care Centers
1200-08-02-.14 Appendix I

1200-08-06 Standards for Nursing Homes
1200-08-06-.16 Appendix I

1200-08-10 Standards for Ambulatory Surgical Treatment Centers
1200-08-10-.15 Appendix I

1200-08-11 Standards for Homes for the Aged
1200-08-11-.14 Appendix I

1200-08-15 Standards for Residential Hospices
1200-08-15-.15 Appendix I

1200-08-24 Standards for Birthing Centers
1200-08-24-.14 Appendix I

1200-08-25 Standards for Assisted-Care Living Facilities
1200-08-25-.17 Appendix I

1200-08-26 Standards for Home Care Organizations Providing Home Health
Services
1200-08-26-.15 Appendix I

1200-08-27 Standards for Home Care Organizations Providing Hospice
Services
1200-08-27-.15 Appendix I

1200-08-28 Standards for HIV Supportive Living Centers
1200-08-28-.15 Appendix I

1200-08-32 Standards for End Stage Renal Dialysis Clinics
1200-8-32-.15 Appendix I

1200-08-34 Standards for Home Care Organizations Providing Professional
Support Services
1200-08-34-.15 Appendix I

1200-08-35 Standards for Outpatient Diagnostic Centers
1200-08-35-.15 Appendix I

1200-08-36 Standards for Adult Care Homes-Level 2
1200-08-36-.18 Appendix I